

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

v.

RUDOLPH W. GIULIANI,

Defendant.

Case No. 24-cv-6563 (LJL)

DECLARATION OF REGINA S. SCOTT
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT'S
CROSS-MOTION FOR SUMMARY JUDGMENT

I, Regina S. Scott, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am over 18 years of age and not a party to this action.
2. I was engaged by counsel for Plaintiffs Ruby Freeman and Wandrea' ArShaye Moss (collectively, "Plaintiffs"), to review three video livestreams cited in the Rule 56.1 Statement in Support of Cross-Motion for Summary Judgment, ("Giuliani Rule 56.1 Statement"), filed by Mr. Rudolph W. Giuliani (the "Defendant") and the Declaration of David Labkowski in Opposition to Plaintiffs' Motion For Summary Judgment, ("Labkowski Declaration"). I assessed whether the videos support that the "Defendant broadcasted live from Palm Beach, Florida" on March 13, 2024, March 14, 2024, and March 29, 2024. *See Freeman v. Giuliani*, No. 24-cv-06563-LJL (October 16, 2024) Giuliani Rule 56.1 Statement ECF. No. 46 ¶¶33–34, 45; Labkowski Declaration ECF. No. 43 ¶¶24–25, 36.
3. I have personally reviewed Mr. Giuliani's public broadcasts of *America's Mayor Live* on March 13, 2024, March 14, 2024, and March 29, 2024, via the links provided in the Labkowski Declaration. ECF. No. 43 ¶¶ 24–25, 36.

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4. All quotations from the livestream programs transcribed below are true and correct transcriptions of statements that Mr. Giuliani made on the respective programs, at the time codes listed. Unless otherwise indicated, quotations from Mr. Giuliani's broadcasts are Mr. Giuliani's own words.

5. On March 13, 2024, an episode of Mr. Giuliani's show *America's Mayor Live* was broadcast. See Labkowski Declaration, ECF. No. 43 ¶24.¹ The episode begins with a man identified as Ted Goodman saying "Thank you for joining us for America's Mayor Live, as you can tell, I am not the Mayor, you are stuck with Ted Goodman tonight."² Mr. Giuliani does not join Mr. Goodman in person for any portion of the episode.

6. At 20 minutes and 13 seconds into the episode, Mr. Goodman begins to reference playing a video, saying "*we are going to play*—we have a special guest for everybody, and we're gonna hear from the person you have been waiting for all hour Mayor, Mayor Rudy Giuliani."³ At 20 minutes and 39 seconds into the episode, Mr. Goodman plays a prerecorded segment of Mr. Giuliani—the video of Mr. Giuliani is paused at first and begins to play after an arrow icon is visible on screen.⁴ After the video of Mr. Giuliani is put on the screen, I observed what appears to be the file name for the prerecorded video, "6187644-1710365001407_restream.mp4," in the upper left-hand corner of the frame.⁵

¹ Rudy Giuliani's Common Sense, *America's Mayor Live*, *America's Mayor Live (E363): Judge DROPS Six Charges as Fani Willis's Phony RICO Case Falls Apart*, Rumble (March 13, 2024) https://rumble.com/v4j3bmi-america-s-mayor-live-e363-judge-drops-six-charges-as-fani-williss-phony-rico.html?e9s=src_v1_ucp.

² *Id.* at 0:00–0:09.

³ *Id.* at 20:13–31 (emphasis added).

⁴ *Id.* at 20:39–42.

⁵ *Id.* at 20:41–41.

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7. The live footage from the camera Mr. Goodman used remains visible in the bottom right-hand corner of the page throughout the pre-recorded segment.⁶ When the segment ends at 51 minutes and 6 seconds, the video of Mr. Giuliani is paused again and a red-play button is visible.⁷

8. On March 14, 2024, an episode of Mr. Giuliani's show *America's Mayor Live* was broadcast. See Labkowski Declaration, ECF. No. 43 ¶25.⁸ The episode begins with a man identified as Ted Goodman saying "Good evening, thanks for joining us for America's Mayor Live, I'm Ted Goodman."⁹ Mr. Giuliani does not join Mr. Goodman in person for any portion of the episode.

9. At 6 minutes and 34 seconds into the episode, Mr. Goodman plays a prerecorded segment of Mr. Giuliani.¹⁰ After the video of Mr. Giuliani is put on the screen, I again observed what appears to be the file name for the prerecorded video, "6187644-1710455050326_restream.mp4," in the upper left-hand corner of the frame.¹¹ The live footage from the camera Mr. Goodman used remains visible in the bottom right-hand corner of the page throughout the pre-recorded segment.¹² When the segment ends at 28 minutes and 56 seconds, the video of Mr. Giuliani is paused again and a red-play button is visible.¹³

10. On March 29, 2024, Mr. Giuliani broadcast an episode of his show, *America's Mayor Live*. See Labkowski Declaration, ECF. No. 43 ¶36.¹⁴ During the episode, Mr. Giuliani

⁶ *Id.* at 20:40–51:06.

⁷ *Id.* at 51:06–09.

⁸ Rudy Giuliani's Common Sense, *America's Mayor Live*, *America's Mayor Live (E364): ELECTION 2024—Bellwether Michigan*, Rumble (March 14, 2024) https://rumble.com/v4jaq3l-americas-mayor-live-e364-election-2024bellwether-michigan.html?e9s=src_v1_ucp.

⁹ *Id.* at 0:00–0:06.

¹⁰ *Id.* at 6:34–40.

¹¹ *Id.* at 20:41–41.

¹² *Id.* at 6:34–28:56.

¹³ *Id.* at 28:54–58.

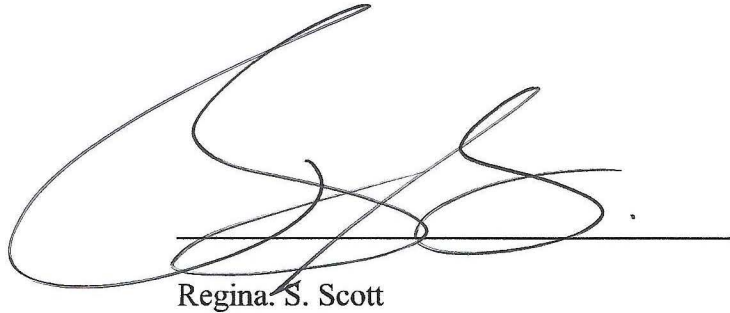
¹⁴ Rudy Giuliani's Common Sense, *America's Mayor Live*, *America's Mayor Live (E375): Honoring America's Real Heroes*, Rumble (March 29, 2024) https://rumble.com/v4mcjex-americas-mayor-live-e375-honoring-americas-real-heroes.html?e9s=src_v1_ucp.

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states “we are right here in Georgia[.]”¹⁵ The background of the video does not match publicly available photographs of Mr. Giuliani’s Palm Beach Condo.¹⁶

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2024.

A handwritten signature in black ink, appearing to be "RS", is written over a horizontal line. Below the line, the name "Regina S. Scott" is printed in a black serif font.

Regina S. Scott

¹⁵ *Id.* at 4:04–4:06.

¹⁶ Brian Bandell, *Rudy W. Giuliani, wife list Palm Beach condo for sale (Photos)*, The Business Journals (June 12, 2019 1:36 PM EDT), (<https://www.bizjournals.com/southflorida/news/2019/06/12/rudy-giuliani-wife-list-palm-beach-condo-for-sale.html>).